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- (1) Within residential zoning districts, CMCS facilities, support structures and associated attachments shall be encouraged to locate on publicly owned and/or leased properties, public/private utility owned properties, or institutional uses.
  - (2) The location, size and design of such facilities shall be such that minimal negative impact results from the facility. Any application for a new CMCS tower shall not be approved nor shall any building permit for a new CMCS tower be issued unless the applicant certifies that the CMS equipment planned for the proposed tower cannot be accommodated on an existing or approved tower or other structure due to one or more of the following reasons:
    - (a) The planned equipment would exceed the structural capacity of existing and approved structures, considering existing and planned use of those structures, and those structures cannot be reinforced to accommodate planned or equivalent equipment at a reasonable cost.
    - (b) The planned equipment would result in technical or physical interference with or from other existing or planned equipment and the interference cannot be prevented at a reasonable cost.
    - (c) There are no appropriate existing or pending structures to accommodate the planned equipment, taking into account, among other factors, the applicant's system requirements.
    - (d) Other reasons that make it impractical to place equipment planned by the applicant on existing and approved structures.
  - (3) Applications for CMCS facilities to be located on publicly owned and/or leased properties, including without limitations, public parks, the following criteria shall apply:
    - (a) The CMCS facility will not unduly interfere with the functions or aesthetics of the city park or property.
    - (b) A CMCS facility shall not be located on any public park less than ten acres in size.
    - (c) Minimum distance between any CMCS facility and any playground shall be equal to 1 1/2 times the height of the tower.
    - (d) The use of an existing tower or existing support structure is not technically, structurally, economically and/or financially feasible.
    - (e) The proposed facility has adequate capacity to handle a minimum of three additional users.
    - (f) All towers shall be a "stealth" application or consistent with the natural or built environment or the site. Landscaping and screening may be required in addition to the minimum requirements of this ordinance.
    - (g) Obstruction lighting and/or marking shall not be permitted in public parks or on public school properties. On other public properties, proposed lighting may be approved by the city council and/or county commission as an element of the special use permit site plan and conditions.
    - (h) Any CMCS facility which has ceased operations for a period of 180 continuous days shall be dismantled and removed from the site at the owners expense. Prior to the issuance of a building permit for such CMCS facility, adequate financial security not to exceed \$20,000.00 shall be posted with the building official to assure the dismantling, removing and restoring of the public property/park upon which the CMCS facility will be located.
    - (i) The planned equipment will not interfere with emergency communications including without limitation those of the Memphis Fire and Police Departments, the county fire department and/or the county sheriff's department as substantiated through a RF (radio frequency) study. If interference occurs, proper remediation steps shall be taken.
  - (4) Any proposed tower shall be structurally designed to accommodate at least three additional CMCS sectorized antennae array if at least 100 feet in height, at least five additional CMCS sectorized antennas if at least 150 feet in height or at least six additional CMCS sectorized antennas if at least 170 feet in height. Colocated CMCS antennas shall be placed on a structure in such a manner as to avoid interference with or impairment of operations of existing antennae or other uses.
  - (5) Nothing in these rules and regulations shall obligate the owner of an existing tower to colocate additional antennas on such tower or be construed to interfere with or limit the rights of parties to set rent or establish other terms and conditions of the shared use of a CMCS tower or facility.
  - (6) The minimum setback requirement for support structures including associated attachments shall correspond to the zoning district in which they are located, except that a minimum buffer equal to the height of the tower shall be maintained between any support structure (excepting sites incorporating stealth design) and any single-family residentially zoned or used property line.
  - (7) Accessory facilities shall be permitted but may not include offices, long-term vehicle storage, other outdoor storage, or broadcast studios, except for emergency purposes or other uses that are not needed to send or receive transmissions.
  - (8) Existing on-site vegetation shall be preserved to the maximum extent practicable and shall be supplemented as required by the office of planning and development as necessary. Where the site abuts residentially developed land, residential zoning districts, the residential portion of an approved planned development, or public land or streets, the site perimeter shall be landscaped with at least one row of deciduous trees, not less than two inches in diameter, measured three feet above the grade, spaced not more than 20 feet apart within 25 feet of the site boundary, as well as at least one row of evergreen trees and shrubs, at least five feet high when planted and spaced not more than five feet apart to form a solid shrub screen and within 40 feet of the site boundary. Alternatives such as walls or fences may be permitted based on security or other reasons.
  - (9) Security fencing shall be required around the base and guy anchors of any towers.
  - (10) Towers shall not be artificially lighted unless:



special use permits<sup>2</sup>; a unique set of conditions tailored to the site, and a detailed site plan. Under most circumstances a final requirement is the approval of a legislative body, in this case the Shelby County Board of Commissioners.

Cell towers are often necessary in residential areas but never popular. When as in this case, the property borders residential land (e.g. R- and AG Districts), a tower design for residential compatibility is required according to current policy. In this case, staff would specify, the so-call slick-stick design, with flush-mounted antennae.

One of the functions of the OPD staff review is to determine whether another location would be supposed. Before rendering a recommendation OPD staff would like to obtain from the applicant a written justification as to why the residential development in this area --- predominantly in Tipton County --- could not be well from alternate locations which would themselves be in Tipton County.

OPD staff has originally recommended that this case be held. However, prior to the Land Use

- 
- (a) Required by the Federal Aviation Administration or other governmental authority;
  - (b) Circumstances make lighting appropriate for safety or other reasons unique to a specific application that are set forth in that application, but in no case shall any lighting shine into adjacent residential structures.
- (11) The application for a special use permit approval shall include the following:
- (a) A site plan drawn showing the property boundaries, tower, guy wire anchors (if any), existing structures, proposed transmission buildings and/or other accessory uses, access, parking, fences, a landscaping plan and existing abutting land uses around the site.
  - (b) A study from a professional engineer which specifies the tower height and design, including a cross-section of the structure, demonstrates the tower's compliance with applicable structural standards, including a certification that the tower will withstand at a minimum sustained winds in accordance with the appropriate building code, and a description of the tower's capacity, including the number and type of antennas which it can accommodate.
  - (c) Written statements that the proposed tower will comply with regulations administered by the Federal Aviation Administration, Federal Communications Commission, and all applicable governmental bodies, or that the tower is exempt from those regulations.
  - (d) A letter of intent committing the tower owner and his or her successors to allow shared use of the tower, if capacity exists, based on existing and planned use, and if a future applicant agrees in writing to pay any reasonable charge of shared use, the potential use is technically compatible and the future applicant is in good standing.
- (12) The minimum setback requirements of chart 2 shall apply to the equipment, structures, and other buildings which are auxiliary to functions of the CMCS tower except as specified in 9v.(6) of this ordinance. Exceptions to the minimum setback requirements may be permitted. The tower height shall not be used to calculate the minimum setback requirements. The height restrictions of chart 2 do not apply to tower height and the height permitted for each new application shall be set on the basis of its own merits.
- (13) Any CMCS tower and equipment shall be removed no later than 180 days after ceasing operations.

**2 [Standards of General Applicability]** 1. That the proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety and general welfare.

2. That the proposed building or use will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not to interfere with the development and use of adjacent property in accordance with the applicable district regulations.

3. That the proposed building or use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, drainage structures, refuse disposal, fire protection, water and sewers; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.

4. That the proposed building or use will not result in the destruction, loss or damage of any feature determined by the legislative body to be of significant natural, scenic or historic importance.

5. That the proposed building or use complies with all additional standards imposed on it by the particular provision of this section authorizing such use.

Control Board public hearing, the applicant has provided specific information that ruled out certain alternative sites in Fayette County ---- near the electrical power substation roughly 1¼ mile north of the subject property and on the Atoka water tower, which is roughly 2¼ miles to the north.

Staff believes that applicant has demonstrated a need for additional cellular service in this area and has made a reasonable effort to find a location that would have the least adverse impact on adjoining land uses. OPD staff believes that the characteristics of the subject property are favorable --- with a relatively deep tract with the tower site located well to the rear and with existing trees to help screen to view

**REVISED RECOMMENDATION:**        *Approval, with conditions*

### **SITE PLAN CONDITIONS**

**S.U.P. 08-204**

**CMCS CELL TOWER AT 9049 TRACY ROAD**

**As Recommended by OPD Staff**

**February 14, 2008**

A Special Use Permit is hereby granted to the applicant **Tower Ventures V, LLC** to allow construction and operation of a Commercial Mobile Communications Service (CMCS) Tower and ancillary facilities at a 6,400 square foot site on the 6.7-acre Mary Green tract (recorded as Instrument #07174040 at the Shelby County Register's Office), in accordance with a site plan approved by the Office of Planning and Development and with the following supplemental conditions.

1. The maximum tower height shall be one-hundred ninety feet (190'), subject to Item 2 below, and the tower will incorporate the "slick stick" design with flush-mounted antennae.
2. The tower shall be free of all lighting, including aircraft hazard lighting, and shall be designed so as to avoid the necessity of such lighting under currently federal regulations.
3. The tower and related equipment shall be removed within one-hundred eighty (180) days of ceasing operations.
4. The tower shall be constructed within two (2) years of approval by the Shelby County Board of Commissioners. The Land Use Control Board may grant a time extension through the applicant filing a correspondence item application with public notice sent to all property owners within five-hundred (500') feet of the property.
5. The tower shall be structurally designed to accommodate at least six (6) additional sectorized arrays.
6. A security fence, six feet (6') or more in height shall be constructed around the tower and



associated equipment

7. The tower operator shall install and maintain perimeter screening as follows: The site perimeter shall be landscaped with at least one row of deciduous trees, not less than two inches in diameter, measured three feet above the grade, spaced not more than 20 feet apart within 25 feet of the site boundary, as well as at least one row of evergreen trees and shrubs, at least five feet high when planted and spaced not more than five feet apart to form a solid shrub screen and within 40 feet of the site boundary. An equivalent alternative may be substituted with the approval of the Office of Planning and Development.
8. The access drive shall have an all-weather surface with asphalt pavement for the first 50 feet from Tracy Road.
9. The location and design of the driveway access to Tracy Road shall be subject to the review and approval of the County Engineer including the construction of any culverts that made be needed.

## GENERAL INFORMATION

**Parcel Number:** D0108 00153

**Approximate Tower Coordinates:** 35° 24' 06"N, 89° 45' 38"W

**Street Address:** ±9049 Tracy Road, ATOKA TN 38004

**Street Frontage:** Tracy Road: 257 ft. on this unimproved rural road which current functions as a major collector.

**Planning District:** Millington

**Census Tract:** 207

**Annexation Status:** Millington Reserve Area

**Zoning Atlas Page:** 1156

**Zoning History:** Zoned Agricultural since the beginning of County zoning in 1961

## DEPARTMENTAL COMMENTS

### City/County Health Department:

1. That the proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety and general welfare.
2. That the proposed building or use will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not to interfere with the development and use of adjacent property in accordance with the applicable district regulations.
3. That the proposed building or use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, drainage structures, refuse disposal, fire protection, water and sewers; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.
4. That the proposed building or use will not result in the destruction, loss or damage of any feature determined by the legislative body to be of significant natural, scenic or historic importance.
5. That the proposed building or use complies with all additional standards imposed on it by the particular provision of this section authorizing such use.

**Memphis Light, Gas and Water:**

MLGW has reviewed the referenced application, and has no objection, subject to the following comments:

- If it is necessary for MLGW facilities to be installed, removed or relocated, any work performed by MLGW will be done at the expense of the owner/applicant.
- It is the responsibility of the owner/applicant to identify any utility easements, whether dedicated or prescriptive (electric, gas, water, CATV, telephone, sewer, drainage, etc.), which may encumber the subject property, including underground and overhead facilities.
- **Landscaping prohibited** within any MLGW utility easement. No trees, shrubs or permanent structures will be allowed within any MLGW utility easements.
- It is the responsibility of the owner/applicant to contact **TN-1-CALL @ 1.800.351.1111**, before digging and to determine the location of any underground utilities including electric, gas, water, CATV, telephone, etc
- It is the responsibility of the owner/applicant to submit a detailed plan to MLGW Engineering for the purposes of determining the availability and capacity of existing utility services to serve any proposed or future development(s).
- To determine if system improvements may be required, please contact the appropriate MLGW engineering area:
  - MLGW Engineering - **Residential Development:** 528.4858
  - MLGW Engineering - **Commercial Development:** 367.3343
- The owner/applicant will be responsible for the cost of any utility system improvements necessary to serve the proposed development with electric, gas or water utilities.

**OPD-Regional Services:** This application was reviewed by the MPO staff/Department of Regional Services on January 3, 2007. The MPO staff has determined that the proposed actions as submitted in this application will have no affect on the MPO Long Range Transportation Plan, Transportation Improvement Program, or any other plan, document, program or initiative of this department/organization.

**OPD-Plans Development:** No comments  
**Millington Telephone:** No comments.

**County Engineer:** No comments received.  
**County Fire Department:** No comments received.  
**County Board of Education:** No comments received.  
**Construction Code Enforcement:** No comments received.  
**Memphis Area Transit Authority (MATA):** No comments received.  
**County Conservation Board:** No comments received.  
**County Sheriff:** No comments received.  
**Neighborhood Associations:**

Rosemark Civic Club

See Exhibit B



## Tower Ventures V, LLC

4091 Viscount Avenue  
Memphis, TN 38118  
901.794.9494  
901.366.5736 fax

December 18, 2007

Memphis and Shelby County Office of Planning and Development  
125 North Mid-American Mall  
Memphis, TN 38103-208

RE: Letter of Intent for 193' Monopole Communications Tower at 9071 Tracy Road  
Millington, TN

To Whom It May Concern:

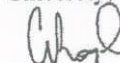
Tower Ventures V, LLC of 4091 Viscount Avenue Memphis, TN. 38118 proposes to build a one hundred ninety three-foot (193') CMCS tower at 9071 Tracy Road Millington TN. The tower would be a monopole design. It would be built to support PCS communications for this area and built to accommodate up to five (5) carriers. The subject property is zoned as Agricultural.

Tower Ventures V proposes to construct a six-foot (6') chain-link security fence around the tower base and associated equipment. The site is located in a vacant field approximately Six Hundred Feet (600') south of Tracy Road. There is existing vegetation screening to the south and east of the tower parcel. Tower Ventures V, LLC requests that the landscaping requirement be waived on this site due to the distance of the tower from the public right of way and to the existence of mature vegetation which surrounds the site.

There is a need for improved coverage and provide adequate signal strength in this area of Shelby County. The CMCS equipment planned for the proposed tower cannot be accommodated on any existing structures because there are no appropriate existing or pending structures to accommodate the planned equipment, taking into account, among other factors, the PCS carriers' system requirements; therefore, the proposed tower is needed to accommodate the need for better cellular coverage and to further enhance the E911 emergency services that cellular companies provide to the citizens of Shelby County.

Tower Ventures V, LLC appreciates the Memphis and Shelby County Office of Planning and Development's consideration of this application. Please contact me at (901) 794-9494 ext 107 if you have any questions concerning this application.

Sincerely,



Craig Royal  
Tower Ventures V, LLC

**Exhibit A-1: Applicant's Letter of Intent**

# T-Mobile stick together

December 12, 2007

Memphis and Shelby County Office of Planning and Development  
City Hall  
125 North Mid-American Mall  
Memphis, Tennessee 38103-2084  
Attn: Office of Planning and Development

## SUBJECT:

Parcel ID D010800153  
Atoka Site-9071 Tracy Road  
192ft Monopole Telecommunications Tower and Equipment  
(T-Mobile site 9ME0244B)

## To Whom It May Concern:

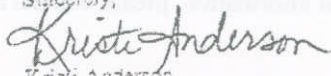
On behalf of PowerTel/Memphis, Inc., an affiliate of T-Mobile USA, Inc. ("T-Mobile"), we are submitting a letter to assist Tower Ventures in its efforts of siting a telecommunications tower with Shelby County. The proposed cell site (Atoka) is required to improve coverage and provide adequate RF signal strength for the T-Mobile network in Shelby County, Tennessee as indicated on the enclosed maps indicating existing T-Mobile service and proposed T-Mobile service with the addition of this tower.

The T-Mobile Engineering Team has determined that the proposed site 9ME0244B will improve our customer satisfaction and indoor/outdoor coverage in all residential and commercial areas surrounding Hwy 206, Tracy Rd, Portersville Rd, Austin Peay Hwy, Meade Lake Rd, and Rosemark Rd.

The T-Mobile Engineering Team has determined that the proposed site 9ME0244B will provide coverage to 176 existing customers and 3200 potential new customers. T-Mobile currently has 25 customers who have discontinued their service in this area due to lack of desired coverage and has 50 complaints as a result of lack of desired coverage. This new site will also expand our enhanced E911 services as required by the FCC and local PSAP as part of our partnering with emergency service providers to improve safety to the citizens of Shelby County.

If you have any technical questions you may contact Thuyen Tran, RF Engineer for T-Mobile, at (850)341-8995 or for general questions, contact myself at 205-222-6552.

Sincerely,

  
Kristi Anderson  
Real Estate Manager

cc: Site File, Thuyen Tran (RF Engineer - T-Mobile), Craig Royal (Tower Ventures)

Enclosures: Existing and Proposed Coverage Maps

T-Mobile USA, Inc. 7420 Goodlett Farms Parkway, Suite 100, Cordova TN 38015

**Exhibit A-2: CMCS Carrier's Letter of Intent**



T'                    **stick together"**

February 12, 2008

David G. Adams, Principal Planner  
Memphis and Shelby County Office of Planning and Development  
125 N Main Street, Suite 468  
Memphis, TN 38103-2030

Dear Mr. Adams:

I am writing this letter in order to document that T-Mobile has explored and ruled out alternate locations to the proposed site on Tracy Road.

T-Mobile always looks at every possible existing structure before asking Tower Ventures to build a new tower. In this case we have explored over a half dozen possible candidates that have been ruled out for either technological or real estate reasons.

In particular, T-Mobile has explored the area in and around the electrical power substation roughly 1¼ miles north of the subject property and the Atoka water tower, which is roughly 2¼ miles to the north.

Neither of these locations will accomplish T-Mobile's coverage objectives. We are looking to provide coverage for parts of both Shelby and Tipton County. If you look at the coverage maps that we have previously provided, the proposed location on Tracy Road provides the best location to fit in with our existing sites in the area.

As the areas to the North continue to grow, we will look to provide more in-building coverage in those areas. The Atoka water tank may be a viable site some time in the future.

If you have any further questions or need any additional information, please contact me at 205-222-6552.

Sincerely,

  
Kristi Anderson  
Real Estate and Zoning Manager

**31 Inverness Center Parkway, Suite 600, Birmingham, Alabama 35242**

**Exhibit A-3: CMCS Carrier's Analysis of Alternative Locations**

**Rosemark Civic Club**  
**Rosemark, Tennessee**  
**February 8, 2008**

Comments concerning SUP 08-204 CO:

Mr. Billy Orgel and Mr. Craig Royal met with the Public Affairs Committee of the Rosemark Civic Club and two adjoining property owners on Monday, February 4, 2008 to explain the above application by Tower Ventures, LLC. Mr. Orgel and Mr. Royal were very informative and seemed concerned about minimizing the effects of this tower on the Rosemark community. The Rosemark Civic Club offers the following comments:

1. The "Request" noted on the Notice of Public Hearing states "Replace existing 199' cell tower (CMCS)." It may not matter, but it should be pointed out that, at present, no tower is in place at that location.
2. The Rosemark Civic Club is concerned about the request "that the landscaping requirement be waived on this site . . . ." We expressed this concern to Mr. Orgel and Mr. Royal who assured us that they would be willing to place landscaping around the tower. They explained that this landscaping would consist of a wooden fence around the tower with rows of hollies and pines surrounding the fence.
3. Mr. Orgel and Mr. Royal advised us that, because the height of the proposed tower is less than 200 feet, no lights will be placed on the tower. We were also told that no guy wires would be used and that the access road to the tower will be designed to preserve the natural landscaping and not draw the eye to the tower. The Rosemark Civic Club would like to see that these representations are included in any approval of the project.

Again, we appreciate Mr. Orgel and Mr. Royal taking the time to meet with representatives of the Rosemark Civic Club and adjoining landowners and feel sure that they will address the above concerns.

Thank you very much.

Sincerely,

Laura L. Sanford  
President  
Rosemark Civic Club  
8825 Rosemark Road  
Millington, TN 38053  
[lsanford@bigriver.net](mailto:lsanford@bigriver.net)  
(901) 829-5005

Molly Hampton  
Public Affairs Committee Chair  
Rosemark Civic Club  
8242 Mudville Road  
Atoka, TN 38004  
[molhampton@aol.com](mailto:molhampton@aol.com)  
(901) 829-2598

**Exhibit B-1: Original Correspondence from Rosemark Civic Club**



**Rosemark Civic Club**  
**Rosemark, Tennessee**  
**February 13, 2008**

Comments concerning SUP 08-204 CO:

Based on new information concerning the above application by Tower Ventures V, LLC, to construct a 199' cell tower (CMCS) at 9019 Tracy Road, in Shelby County, **the Rosemark Civic Club objects to having this tower in the Rosemark community and in Shelby County and opposes the application for Special Use Permit 08-204 CO.**

After approaching adjoining landowners and local residents, serious concerns have been raised. There has been significant response from neighbors who object to having a cell tower in this area. The Rosemark Civic Club represents community residents, and we feel it is very important that citizens have the opportunity to have meaningful input especially when an issue will affect their lives every day. **The pastoral, residential community of Rosemark does not want the proposed cell tower because it would be out of character, incompatible, and inappropriate in the existing landscape.**

Correspondence in the application for SUP 08-204 CO indicates that the main population that needs service appears to be north of Tracy Road in Tipton County. Since the service will benefit the residents of Tipton County, we are requesting that the cell tower (CMCS) be located in Tipton County.

This proposed application is a complicated and sensitive issue because of the nature of the height, design, and presence of the cell tower. Tracy Road is the boundary separating Tipton County and Shelby County. Because Shelby County and the residents of Rosemark are being greatly affected by decisions made in Tipton County and particularly the Town of Atoka, we in the Rosemark area would especially appreciate your support in our objections to the proposed cell tower (CMCS).

We support the OPD staff report. Please refer to page 12 and the comments in paragraphs three and four with regard to another location: **"...the residential development in this area ---predominantly in Tipton County--- could (benefit) well from alternate locations which would themselves be in Tipton County. In particular, ...a site near the electrical power substation roughly 1 ¼ miles north of the subject property and on the Atoka water tower, which is roughly 2 ¼ miles to the north."**

Thank you very much for your consideration of our request.

Sincerely,

Laura L. Sanford  
President  
Rosemark Civic Club  
8825 Rosemark Road  
Millington, TN 38053  
[lsanford@bigriver.net](mailto:lsanford@bigriver.net)  
(901) 829-5005

Molly Hampton  
Public Affairs Committee Chair  
Rosemark Civic Club  
8242 Mudville Road (in Shelby County)  
Atoka, TN 38004  
[molhampton@aol.com](mailto:molhampton@aol.com)  
(901) 829-2598

**Exhibit B-2: Revised Comments - - - In Opposition --- from Rosemark Civic Club**

[CORRESPONDENCE RECEIVED BY EMAIL]

[Received February 8, 2008]

I am writing you today to express some concern over the Tower Ventures Special Use Permit (Case #SUP08-204CO) on the property of Mary Green in Rosemark Tn. My property backs up to hers and while I understand that it is her property, when you put a tower up 193 feet in the air, it affects everyone around her. Mr. Craig Royal of Tower Ventures did a balloon simulation yesterday so we could see where the tower would be and how tall.

After looking at it yesterday, I think further scrutiny is needed. This tower is in the middle of an open field. From my kitchen table, I will be able to see more than half of the tower. Could it not be moved where at least the bottom half of the tower is cover or mixed in with the trees? As it stands now, it will be an ugly eye sore. And please understand, this is not only an eye sore from my home but my neighbors as well. I am asking that you take this into consideration before granting Tower Ventures this special use permit. At least have Tower Ventures look at more possible locations on the property, one that would blend in better with it's surroundings.

Thank you for your consideration.

Sincerely,  
Alisa Rhodes  
9960 Rosemark Rd.  
Atoka, TN. 38004

**Exhibit C-1: Correspondence From Individuals in Opposition**



[CORRESPONDENCE RECEIVED BY EMAIL]

[Received February 12, 2008]

Why can't this cell tower be located on Fayne Road *[northeast of the proposed site]* in the general vicinity of where another tower is located? I realize the towers cannot be close to each other, but there is land available in this area without being close to as many homes and entire subdivisions. If they need help locating property in this area, please feel free to contact me for assistance.

Sincerely,  
Bill Beyer  
8915 Tracy Road  
Atoka Tn. 38004

**Exhibit C-2: Correspondence From Individuals in Opposition**